



W.P(MD)No.26876 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 08.11.2023

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THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P(MD)No.26876 of 2023

J.Kalitus

... Petitioner

Vs.

1.The District Registrar,
Office of the District Registrar,
Near SLB Girls' Government High School,
South Road, Nagercoil,
Kanyakumari District.

2.The Sub Registrar,
Office of the Sub Registrar,
Palliyadi,
Kanyakumari District.

2.P.Virgin Metilda Mary

4.V.Vini Vincent

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the 1st Respondent herein to complete the proceedings initiated in No.7147/A1/A3/2021 dated 23.11.2021 under section 77A of the Registration Act 1908 on the basis of the petitioner's representation made



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before him by RPAD dated 17.11.2021 with in a stipulated time fixed by this Court.

For Petitioner : Mr.B.Brijesh Kishore

For Respondents : Mr.S.RA.Ramachandran,
Addl. Government Pleader for R1 & R2.

ORDER

Heard the learned counsel for the writ petitioner and the learned Additional Government Pleader for the official respondents.

2.The learned counsel for the writ petitioner is impeaching Document No.792/1997 and Document No.227/2018 registered on the file of the second respondent. Though in the writ prayer Section 77-A of the Registration Act, 1908 has been invoked, the learned counsel for the states that he will not press that prayer for the present and that he would be satisfied if the first respondent considers his representation in the light of the circulars issued by the Inspector General of Registration.



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3.I made it clear to the learned counsel for the petitioner that the Document No.792/1997 cannot be the subject matter of enquiry.

4.The Inspector General of Registration has issued the following circulars:-

“(a) Letter No.41350/U1/2017 dated 31.07.2018

(b) Letter No.41350/U1/2017 dated 21.12.2020”

5.The first respondent is directed to hold enquiry in the light of the said circulars as regards the validity of the settlement deed dated 24.01.2018 registered as Document No.227/2018 registered on the file of the second respondent. The first respondent shall issue notice to all the parties concerned and pass final order on merits and in accordance with law within a period of twelve weeks from the date of receipt of a copy of this order. Liberty is given to the petitioner to invoke the power of the first respondent conferred under Section 77-A of the Act based on the decision to be rendered by the Hon'ble Larger Bench. I make it clear that I have not gone into the merits of the matter.



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6.This writ petition is disposed of accordingly. No costs.

08.11.2023

NCC : Yes/No
Index : Yes / No
Internet : Yes/ No
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To:-

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- 2.The Sub Registrar,
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G.R.SWAMINATHAN, J.

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